

State of California

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Memorandum

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From : *Mary* Mary J. Scoonover
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Subject: Status of Habitat Conservation Plan Development

We've met a number of times to discuss developing an HCP/NCCP. This memo is intended to summarize our efforts to date and to help us plan for the future. In addition, we've targeted Friday, September 5, at 9 a.m. for our next meeting. We'll meet in the CALFED Bay-Delta Program offices. Please make arrangements through CALFED staff if you'd like to be hooked in by a conference call.

EIR/EIS related issues:

NOI/NOP - Sharon incorporated final comments on the NOI/NOP and sent it on for publication.

Scoping meetings - There will be three scoping meetings:

September 16 - Redding
September 23 - Sacramento
October 2 - Los Angeles

Planning for these meetings (agenda, staff responsibilities, materials, etc.) needs to be completed prior to our next meeting.

Staffing - Lester, Dave and Larry will attend each of these three meetings. Gary, it would be great if you also could attend some or all of these meetings. Either Frank, Sharon or I, as well as CALFED support staff and consultants will attend each meeting. The consultants will produce a scoping report at the conclusion of the scoping meetings and comment period.

Materials - We need to prepare materials for use in the meetings. CALFED staff will provide general program related information. However, we are in need of some general information regarding HCPs/NCCPs. Dave is investigating what USFWS has available. Larry will you please let Sharon or Frank

know what information is available from DFG? We'd like not to have to spend a lot of time or money compiling new information if there are existing documents that will meet our needs.

Additional pre-release meetings - The NOI/NOP also indicates that we will provide a status report on the development of the HCP sometime before the Draft Programmatic EIR/EIS and draft HCP are released. The CALFED Bay-Delta Program is scheduling a series of evening meetings throughout the state beginning in late October as part of our public outreach. We can include a status report on the developing HCP as one of the issues to be addressed at these meetings.

We will need to assure that at least one person, conversant with the HCP/NCCP effort, is available for each of these meetings. We will also need to prepare written materials for use at these meetings.

Compiling Biological Information

Sharon has collected resumes from consultants qualified to begin the task of compiling existing biological data. The purpose of the task is to identify which program actions may have impacts on species of concern. As you'll recall, we designed a matrix as a way of displaying this information by geographic location, habitat type, affected species, ecosystem restoration actions, and other program actions. Eventually, this information should allow the resource agencies and CALFED to design mitigation/avoidance strategies and assurances.

We need to select a consultant soon so that they can begin the fairly substantial task described above. In addition, we'd like to have the same consultant attend each of the scoping meetings and prepare a scoping report responding to public comments. Please let Sharon know as soon as possible whether you have had experience with any of the consultants.

Because of the pace at which the entire CALFED Bay-Delta Program is progressing, we will have to compile this biological information at the same time that we are constructing an HCP. The sooner the consultants complete their portion of the matrix, the quicker we can identify program actions that may impact affected species and focus our efforts on resolving those conflicts.

Crafting an HCP/NCCP

Structure - The NOI/NOP describes three differing possible structures for the HCP. We need to examine these options to determine the merits of each and eventually to determine which will best meet the resource agencies' and the CALFED agencies' needs. Bill Lehman had begun working on a more detailed

evaluation of these three options. Can someone at the USFWS continue this work and provide his or her conclusions to the rest of us? If not, we need to determine who is best situated to address this issue.

Content/Components - I'm hopeful that by identifying items to be included in an HCP and address the issues raised by each one, we can begin to craft the plan. The preliminary list of items/issues follows:

1. Identify Permit Holder.
2. List actions to be covered by the plan (excluded actions as well). Examine opportunities to include voluntary conservation programs to address ongoing impacts.
3. Delineate plan boundaries.
- 4. Include a description and analysis of biological information (information displayed in the matrix related to affected species by habitat type and geographic region, ecosystem restoration actions, program actions, etc).
- 5. Identify anticipated incidental take levels.
6. Describe avoidance/minimization strategies.
7. Specify the mechanics of coordinating section 7 consultation with plan development.
- 8. Detail the monitoring and adaptive management components.
9. Design assurances for the plan. This would include defining "extraordinary circumstances".
10. Craft an implementation plan including financing.
11. Describe amendment processes for minor or immaterial changes as well as substantive or material changes.

12. NCCP review
Please let me know if you have modifications or corrections to any of the information included in this memo. It is important that we have accurate information and a common understanding of the massive effort we've undertaken.

At the next meeting, I hope we can divide up the many tasks and determine the dates to complete those tasks. In addition, we should discuss how and when to include other CALFED agencies in developing the HCP/NCCP.